

Sanctuary Advisory Council
Thirty-second Meeting
Thursday, May 15, 2003
8:30 a.m. to 3:00 p.m.
Honolulu International Airport
Inter-island Conference Center, 7th Floor

FINAL MINUTES

Attendance

Council Members Present: Jim Coon, Nancy Daschbach, William Friedl, June Harrigan Lum, Louis Herman, Walter Haas, Rebecca Hommon, Cindy Knapman, Jack Laufer, Teri Leicher, Bill Lennan, Naomi McIntosh, Jerry Norris, Sara Peck, Dick Poirier, John Reghi, Glenn Soma, Michael Stanton, Jeff Walters, Reg White, Bob Wilson.

Council Alternates Present: David Nicols (for Margaret Akamine)

Excused: Margaret Akamine, Athline Clark, Elizabeth Corbin, Richard McCarty, Patty Miller, Paul Nachtigall, Terry O'Halloran, Robert Smith

Others Present:

HIHWNMS: Christine Brammer, Claire Cappelle, Amy Glester, David Mattila, Jean Souza, and Paul Wong

PUBLIC: Lieutenant John G. Goebel, Captain Terry Rice, Anne Rillero,

Distributed Materials

- Final Agenda
- Final Meeting Minutes (03/13/03)
- Meeting Action Items
- Acting Sanctuary Manager's Report
- Acting Sanctuary Manager's Report Additional SAC Updates
- Kihei Facility Project
- State Co-Manager's Report
- Kaua'i County Report
- Hawai'i County Report
- Recommended Measures to Reduce Ship Strikes of North Atlantic Right Whales
- Ka Leo O Ke Koholä – HIHWNMS Sanctuary Newsletter
- Sanctuary Watch – NMSP Newsletter
- Sanctuary Advisory Councils National Report 2002

Call to Order

Sanctuary Advisory Council (Council) Chair, Jim Coon, called the meeting to order at 8:30 a.m. Sara Peck began the meeting by taking roll.

SAC Elections

Mr. Coon, opened the floor to accept nominations for Council Officers Elections.

Council Chair:

Dick Porier nominated Mr. Coon for Council Chair. No other members were nominated. Dick Porier made a motion that members should vote by acclimation. The motion carried unanimously. Jim Coon was re-elected as the SAC Chair.

Council Vice Chair:

Bill Friedl and Dick Porier were previously nominated. Rebecca Hommon nominated Dr. Haas for Council Vice Chair. Dick Porier and Bill Friedl each withdrew their nominations. Walter Haas was elected as Council Vice Chair.

Secretary:

Sara Peck was nominated and elected as Secretary for the Council.

Approval of Meeting Minutes

Bill Lennan made a motion that the minutes from the March Council meeting be approved. The motion carried unanimously.

Public Forum

Anne Rillero, Public Relations Director for the Pacific Whale Foundation, shared three brochures that she collected from Windjammer, Trilogy, and the New England Aquarium. She stated that the issue regarding the use of the National Marine Sanctuary (NMS) logo is not local but national and if the Sanctuary's mandate is to work in partnership with other agencies and organizations, then it must be delineated how the use of the logo is allowed to highlight these partnership efforts. She asked why Windjammer, Trilogy, and the New England Aquarium have been allowed to use the Sanctuary logo? She would like to see this important question be answered. Ms. Rillero stated that copies of email records related to use of the logo are being circulated to the Council members in a file at the meeting. Bill Friedl stated that the answer should come from National Oceanic and Atmospheric Administration (NOAA) not the Hawaiian Island Humpback Whale National Marine Sanctuary (HIHWNMS). He went on to say that with all due respect, Anne Rillero is presenting the issue to the wrong

people. Ms. Rillero suggested that a logo possibly be developed and adopted for each site to use and be administered locally.

Ms. Rillero also brought information on pump-out facilities. She stated that pump-out facilities are important for *all* boaters. She spoke about grants that are available to support pump-out facilities in Hawai'i and explained that there are no pump-out facilities at Maalaea, Mala Wharf or Kihei boat ramp. She continued by stating that Lahaina pump-out facilities are also being used by cruise ships and at that time are not available for others to use. She also stated that common methods of handling ship waste are not comparable to land-based sewage treatment methods. Ms. Rillero brought up the fact that there is not a study that quantifies the amount of effluent dumped in Hawaiian waters. She feels that the Sanctuary should take a leadership position on this issue. One way she felt the Council could make a difference would be to provide a working group to identify the issue and test the water quality.

Discussion on Reports and Updates

Council Chair:

Mr. Coon, Council Chair, reviewed the Action Items Status Report (see attachment # 1) and highlighted a few items:

A letter in support of the Sanctuary participating as the lead participant of Structure Of Populations Levels Of Abundance And Status Of Humpbacks (SPLASH) has been sent.

A letter is still being drafted in support of pump out stations in Lahaina, Maui. Mr. Coon stated that letter should support pump-out stations throughout the state and specifically noted Maalaea and Lahaina. June Harrigan Lum suggested that the letter go to the Governor's offices with a copy to the mayor and all agencies. Becky Hommon stated that federal funding could be sought, but implementation would depend on state and local governments. Jerry Norris recommended that there is no need to wait to send the letter. Mr. Coon suggested this issue be moved to unfinished business. Dick Poirier asked for logo use to be addressed in unfinished business as well.

A letter has been finalized and sent to the Department of Education in support of Kidscience.

Acting Sanctuary Manager:

Naomi McIntosh submitted a written report (see attachment # 2). She highlighted items from Attachment # 3 Additional Council Updates and addressed the issues of use regarding Sanctuary volunteers, facilities and logo.

Facilities Update:

Claire Cappelle, Maui On-Site liaison passed around a design plan for a new sign that is being constructed in partnership with the Maui Ocean Center. The 6-foot sign will be installed in the courtyard at the Maui Ocean Center overlooking Ma'alaea Bay, Maui.

Ms. Cappelle also provided a brief update on the Kihei Facility Project (see attachment # 5). The three main issues that have emerged from the draft environmental assessment process are as follows:

1. Submerged cultural artifacts - The State of Hawai'i Historic Preservation Division has requested that an archaeological inventory survey be done before any action commences. Ms. Cappelle is working on a contract for this issue.
2. Revetment – there is ongoing discussions with the State of Hawai'i and the Sanctuary concerning the revetment, which fronts the Sanctuary building. It is possible that the revetment is an encroachment on State property. At this time, the State will not conduct a shoreline certification until this issue is clarified.
3. Dune system – Ms. Cappelle is working with the County of Maui to address concerns over the dune system. The next step is to determine if the dune on the east side of the existing sheds is a coastal or inland dune. Ms. Cappelle has met with Milton Arakawa, County of Maui Department of Public Works to discuss this issue. It is hoped that perhaps the sand from the dune can be used to replenish the beach north of the Sanctuary.

Mr. Coon, Council Chair, stated that it is important to note that the Sanctuary is going above and beyond what is needed, since the property is federal.

Ms. Cappelle briefly ran down the list of other concerns including: loss of scenic view plain, building size, and parking issues related to the accommodation of additional visitors to the site once the new multi-purpose building is constructed.

Ms. Harrigan Lum asked if the dune was moving? Ms. Cappelle responded in the affirmation that the dune is growing upward. She also stated that it appears that the dune has been stabilized enough to prevent sand from escaping across South Kihei Road. The concern now is to find an appropriate way to keep the sand in the dune ecosystem instead of allowing it to build up in its current fashion. Construction may be done so that the dune is restricted to the makai side of the road. The building needs to be raised 5 feet because it is in a flood zone. This will also allow for less interruption to the dunes.

Ms. Hommon noted that during the Hawaiian Islands Shallow Water Training Range (HISWTR) environmental assessment process, they talked to local fishermen about past fishing practices in this area. Ms. Hommon will pass the results on to Claire Cappelle. Ms Cappelle also made reference to a new cultural

survey undertaken by the 'Ao'ao O Na Loko I'a O Maui (a fishpond restoration group on Maui). Although, the report has not officially been released it is referenced in the comment letter from Department of Land and Natural Resources – State Historic Preservation Division. This report may have impacts on any proposed activities on the Kihei site.

Research Updates:

David Mattila, Sanctuary Science and Rescue Coordinator

Disentanglement update – Big Island training was held. Dr. Walters noted that Mr. Mattila was the Key Note Speaker at a national conference (NOAA Fisheries Disentanglement Workshop) that was held in Boston, MA on March 27-28, 2003. Worked with fisheries at headquarters to establish national criteria for disentanglement. David also participated in the Atlantic Large Whale Take Reduction team meeting. He met with the National Marine Mammal Health and Response Program to develop national criteria.

Research – spent 20 days at sea – noted last years report. The main thing that he has been working on is the SPLASH project. Which has had some major attacks on the funding. The steering committee meeting held at the National Marine Mammal Laboratory (NMML) in Seattle. This is a major project at the national level. We're trying to negotiate ship time on a Navy Vessel that has been given to Hawaii. The vessel will allow us to follow the whales back to their summer home. This project has numerous partners. As of now has 70 days reserved to go to Bering Sea. 3.5 million is a more accurate than the article in newspaper. A large amount of money is the ship time.

Mr. Coon asked about the size of vessels that would be utilized in Hawaii. Mr. Mattila met with Hawaii researchers regarding boat use, hopefully grants would be given to use existing research boats. Robert Smith, Reserve Manager, has agreed to allow the use of the ManaCat, Northwestern Hawaiian Islands vessel, to get to the Aleutian Islands. The Sanctuary hopes to be able to use a large NOAA vessel in the summer of 2004.

Lou Herman asked about the international connections for the SPLASH project. David Mattila stated that Russian and Japanese researchers would be included as well as researchers from Canada and Mexico. The SPLASH project will also have an educational component on both the local and the national level.

Sanctuary Co-Manager:

Sanctuary Co-Manager, Dr. Jeffrey Walters, submitted a written report (see attachment # 5) and mentioned the new Sanctuary posters that are now available. He also requested input on the draft cultural poster, which depicts the native Hawaiian uses of the Sanctuary. In addition he sought comments on the various layouts of the draft boater outreach signs. He explained that the boater

outreach signs will be displayed next to interpretive signs. The signs being reviewed are meant to focus on the humpback whale 100yard regulation.

He also announced a public hearing will be held on the evening of May 27th at Natural Energy Laboratory of Hawaii Authority (NELHA) on fish farming.

Teri Leicher asked if the SAC would be submitting comments. Mr. Coon stated that the item would be added under new business.

Conservation Committee:

Dr. Louis Herman, Conservation Committee Chair, gave an oral report. According to the notes summarized from the last meeting regarding wastewater discharge from cruise ships, these vessels are prohibited from discharging in Sanctuary waters. The Memorandum of Understanding (MOU) is less stringent and was copied from the Alaska MOU. The Alaska MOU requires that ships be regularly inspected and certified. In Hawaii ships are only required to do this once.

The conservation committee requested concerns of various islands with respect to humpback whales. The major concerns reported from the survey are vessel strikes, whale watching boats staying away 100 yards, Low Frequency Active Sonar (LFA), Tuna Farm in the waters off of Kawaihae, spike in number of sick or abnormal calves in 2002 and toxins.

Jerry Norris asked about State legislature proposals regarding cruise ship wastewater impacts. Ms. Harrigan-Lum responded that there would be a meeting to evaluate how the MOU is working in Hawaii. Ms. Harrigan-Lum was unsure if this would be open to the public and stated that the MOU will be one year old in October. She anticipated that the meeting would include reviewing cruise ships record. As far as she knew, the Department of Health has not received any large wastewater releases.

Research Committee:

Paul Natchigall, Research Representative was excused.

Education Committee:

Patty Miller, Education Representative was excused.

Honolulu County:

Bill Friedl, Honolulu County Representative did not have anything to report.

Kaua'i County:

Kaua'i County Representative, Dr. Walter Haas, submitted a written report. (see attachment # 6) He also noted that David Mattila would be giving a lecture on Kaua'i.

Maui County:

Richard McCarty, Maui County Representative was excused.

Hawai'i County:

Hawai'i County Representative, Sara Peck, submitted a written report (see attachment # 7). Ms. Peck offered to provide copies of the proposed revisions to the aquarium fish-collecting rule and the proposed gill netting rule, both of which were proposed by the West Hawaii Fishery Council.

Teri Leicher also shared a video clip on humpback whales accompanied by recordings of humpback whale sounds taken by using a hydrophone on board their recreational tours. A few of the clips were taken during a dive in Kona. The video depicted the whales increasing interactions with humans. The dive occurred off of the Red Hill area, not in the Sanctuary. The whale songs were recorded in the Sanctuary boundaries.

Vessel Strike Working Group:

Bill Friedl, Working Group Chair, discussed a conference call the steering committee held to discuss the timing of the workshop. Ms. McIntosh stated the dates that are being considered are August 26, 27, and 28. The group has been discussing the agenda for the Vessel Strike Workshop as well as finalizing the steering committee membership.

Boater Outreach Working Group:

Reg White, Working Group Chair, acknowledged the signs being worked on and then will need the group to help with priority placement.

Naturalist Training and Certification Working Group:

Teri Leicher, Working Group Chair, explained that the group has been working towards holding a videoconference and there are some unresolved issues about using a videoconference facility on the island of Hawai'i. Dr. Walters explained the hospital videoconference facility could be used for a fee. Ms. Leicher would like to have a discussion at lunch today in order to prepare for the videoconference.

Enforcement Update

John Reghi, National Marine Fisheries Services (NMFS) – Office of Law Enforcement, mentioned workshops that had been held, thanked the United States Coast Guard, the Sanctuary and Division of Conservation and Resource Enforcement (DOCARE). This season two special agents rotated through as well as two uniformed officers; with the uniform presence stranger anxiety is starting to diminish. Sixty-five calls received in total throughout the islands. Of the thirty-one documented as complaints, six were reviewed with a recommendation to forward them to the Office of General Counsel-Enforcement Litigation for further disposition. The breakdown of the sixty-five calls were two self reported whale vessel strikes, five potential whale strandings, two whale entanglements, two Spinner dolphin harassment, one monk seal entanglement, one monk seal harassment, one monk seal stranding, two sea turtle harassment, and forty-nine whale approach violations.

General observations conclude that commercial contacts and the commercial whale watching industry were cooperative in displaying stickers and complying with regulations. Concern about increased presence on water: high rates of speed, increased traffic, seeking voluntary compliance from the marine industry, also striving for increased presence on the water with the help of the United States Coast Guard and DOCARE. We will continue proactive approach with public education related to marine resources. After three thousand miles of patrol on Maui, the largest area of concern is the kayakers. We will be reaching out to the media to spread the message and looking at increasing the uniform presence on Maui prior to whale season. We are trying to streamline our operations. In the Maui office we may switch to a duty phone that officers can carry with them. Another area of concern is trying to increase awareness about the difference between the NOAA Enforcement hotline and the NOAA Fisheries Stranding and Entanglement hotline. Over all this was a very successful year for everyone. Efforts are transferring to better reporting of violations.

Dr. Herman inquired about the two ship strikes. Mr. Reghi explained that are both being processed and cannot be discussed at this time. Both boats were commercial whale watching boats who self reported the incident.

A short break was granted while the next presentation was prepared.

Break Discussion

Captain Terry Rice discussed mass evacuation of passengers from cruise ships during emergency situations. Passenger counts with crewmembers range from 2-3,000.

Presentation on Vessel Inspection Laws/Regulation

Lieutenant John G. Goebel, Senior Marine Inspector for the U.S. Coast Guard Marine Safety Office in Honolulu presented information on vessel inspection laws

and regulations. The presentation included information on oil pollution regulations as well as how the systems operate. He also explained what the U.S. Coast Guard is doing to enforce the regulations.

Unfinished Business

Pump-out station letter:

Mr. Coon, Council Chair, stated that the most concern for this issue is on Maui. He stated that Ma'alaea is a large concern. He asked Anne Rillero to comment. She stated that Ma'alaea is the largest concern but the Lahaina facility needs to be more accessible and Kailua-Kona is also an important area of concern.

Mr. Lennan discussed exploring the possibility of expanding the Lahaina facility. He also explained that the Ma'alaea facility has been planned for a long time. Mr. Lennan recalled that the system that was planned would not allow remote use. He also stated that it is a good idea to add Kailua-Kona to this discussion.

Ms. Harrigan-Lum stated that management responsibilities of the pump-out facilities might need to be identified, including plant use.

Dr. Walter Haas discussed issues that have crossed the legislature such as the connection between fuel use and pump-out facility use.

Mr. Coon stated that Lahaina pump-out facility could be made accessible to individual boat slips.

Teri Leicher asked whether portable facilities are possible. Mr. Coon explained that the cost associated to the portable trucks is significant and time consuming. He also stated that compliance would be difficult.

Mr. Lennan stated that in his opinion pump-out facilities are important and it would be helpful to introduce the bill in the legislature. He recommended that the possible use of non-Hawai'i state funds be highlighted.

Dr. Herman mentioned the importance of the Sanctuary waters in the Maui County area as well as elsewhere. Mr. Coon mentioned that the sewage is not raw sewage it is treated. Lieutenant John G. Goebel stated that outside of the three-mile limit federal law allows raw sewage to be dumped. Ms. Harrigan-Lum informed the Council that there are additional concerns about pathogens that may be present in sewage. She states that many questions remain about how clean the treated sewage is.

Mr. Coon pointed out that the long-range goal is to have adequate pump-out facilities for the state of Hawai'i.

Dr. Walters offered to draft a letter in support of the pump out stations.

LCDR Bob Wilson recognized the fact that we need to get a good handle on what is happening now in order to recommend regulatory actions. Mr. Coon stated that compliance should occur before regulatory actions. LCDR Wilson pointed out that geographic boundaries should be used to identify zones, not fathom curves. Jack Laufer offered as a point of reference that the Sand Island treatment plant is only two miles off shore.

Logo use:

Ms. McIntosh explained the two ways in which a group working with the Sanctuary can use the NMS logo is through joint activities and sponsorship. When a joint activity with the Sanctuary occurs, a group can receive permission to use Sanctuary logo on appropriate materials that are developed and reviewed jointly. Use of the logo by Sponsorship requires a formal agreement that is negotiated with the communications branch of the National Marine Sanctuary Program

Mr. Coon discussed his existing sponsorship agreement with the National Marine Sanctuary Program. In his opinion, the logo does not benefit his business, but instead promotes the Sanctuary.

Ms. Leicher recommended that the Council draft a letter to Matthew Stout at the Communications Branch of the National Marine Sanctuary Program to request that by the next meeting there be guidelines provided on how sponsorship agreements are obtained.

Mr. Porier discussed the benefit of the logo being used. He requested a motion be passed to have a letter sent to the Secretary of Commerce regarding clear instructions on the use of Sanctuary logo be expedited. The letter would request that the Secretary of Commerce expedite the revision of Section 316.

Mr. Porier made the motion, Mr. Lennan seconded

Motion carried.

In addition Mr. Porier suggested that the Council form a Working Group to develop guidelines for use of the logo and come up with criteria for use. Mr. Porier will be responsible for the working group. Mr. Norris will be on the group. Anyone interested should see Dick Porier and notify Amy Glester.

Mr. Lennan asked what the procedure is for granting use of the Council logo. He went on to state that allowing use of the Council logo might circumvent the need for using the NMS logo.

Discussion continued on having a local site logo and Ms. McIntosh explained the restrictions on the HIHWNMS developing it's own logo.

Ms. McIntosh will research if guidelines have been developed. She explained that it had been awhile since she had addressed the issue of logo use with Matt Stout.

Dr. Herman suggested that the Council allow Ms. McIntosh to first look in to this issue while the committee examines status of current logo use before sending a letter to the Secretary of Commerce. The Council agreed.

New Business

Cultural Poster:

Dr. Walters passed around the cultural poster during the meeting and at this time he discussed a few of the comments that were received.

Boat Ramp Sign:

Dr. Walters stated that more comments would be taken on the boater outreach signs. He will report back at the next meeting.

Blue Water Farms:

Ms. Leicher explained that she has attended meetings and there has been a lot of concern about where the farm would be located. Mr. Lennan added that Ahi Nui is doing an Environmental Impact Statement (EIS). The Draft Environmental Assessment (DEA) is available for the Kona Blue Water Farms Project. Mr. Norris said that the Office of Hawaiian Affairs is concerned about the issue and does not feel as though the community has been sufficiently consulted. Ms. Harrigan-Lum mentioned that there other issues besides humpback whales and recommended that our issue needs to be related to humpback whales. David Mattila, Sanctuary Science and Rescue Coordinator discussed a similar project in Australia where there has been incidence of marine mammal entanglements in mooring lines. Mr. Lennan discussed the significance of the type of cages used (e.g., submerged, floating, etc.).

Mr. Coon suggested that the Conservation Committee work on risk assessment for this issue. The Council's comments would be most useful if they were completed for the meeting that will be held in Kailua-Kona on the Kona Blue Water Farms Proposal.

Dr. Walters affirmed that it is an Endangered Species Act (ESA) violation if an endangered species abandons a habitat.

Mr. Friedl stated that cause and effect is an issue, but we cannot assume habitat loss because whales do move around.

Dr. Herman predicts that whales may approach cages and even lean on it.

Mr. Lennan inquired if it is built does the lease expire in a certain time period or can it be modified based on number of entanglements? He added that corps permit could be revoked.

Dr. Walters feels the Council should generate comments toward a particular regulatory issue that is happening.

Mr. Lennan thinks it would be useful for the Council to develop a position in general on use of Fish Farms (may relate to specific type of gear being used, etc.).

Dr. Herman will draft the letter.

Effluent discharge:

Lou Herman motion:

Cruise ships have advanced waste water system. Conservation committee recommends that a letter be drafted to recommend that there be regular monitoring. Letter to Governor to modify cruise ship regulations in relation to effluent.

Announcements

Commander, Navy Region Hawai'i invites the SAC to Pearl Harbor for a tour today of the Aegis cruiser U.S.S. LAKE ERIE and the submarine U.S.S. HONOLULU.

Public Forum

No discussion.

Adjournment

Council Chair, Jim Coon, adjourned the meeting at 11: 48 p.m. The Navy hosted a tour of the U.S.S. LAKE ERIE and the U.S.S. HONOLULU, a ship and submarine both home-ported at Pearl Harbor.

ATTACHMENTS

Attachment # 1

**Hawaiian Islands Humpback Whale
National Marine Sanctuary
SANCTUARY ADVISORY COUNCIL**

**MAY 2003 SAC MEETING ACTION ITEMS
Status Report**

ACTION: The SAC will write a letter in support of the Sanctuary as lead participant in the SPLASH project.

STATUS: The letter has been sent.

ACTION: The SAC will write a letter in support of pump out stations in Lahaina, Maui.

STATUS: The letter is being drafted.

ACTION: The SAC will send a letter to the Department of Education in support of the Kidscience program.

STATUS: The letter has been sent.

ACTION: The SAC would like the Sanctuary to address the issue of sponsorship and use of the NMS logo.

STATUS: Item was addressed in the Acting Sanctuary Manager's Report.

Attachment # 2

May 15, 2003

**Hawaiian Islands Humpback Whale NMS
Sanctuary Advisory Council Meeting**

Acting Sanctuary Managers Report

NOAA/National Marine Sanctuary Program Updates

- The National Marine Fisheries Service (NOAA Fisheries) today established a new regional office and science center in Honolulu to provide better customer service and stewardship of living marine resources within the expansive area of the Western Pacific. The new regional office provides senior NOAA Fisheries leadership to direct scientific research and management of the living marine resources in the Western Pacific. This will ensure that the field structure is aligned to accurately and effectively reflect the needs of the agency's constituencies as well as provide needed conservation and management programs in this area. Dr. Samuel Pooley will serve as the acting regional administrator. Dr. Pooley is currently the director of the NOAA Fisheries Honolulu Laboratory.
- Waters around the Channel Islands officially became part of one of the largest "no-fishing" zones in the United States on Wednesday, April 9, 2003. The California Fish and Game Commission voted Oct. 23, 2002 to create the 175-square-mile network of marine reserves, one of the largest in U.S. waters. The no-fishing zones encompass 10 percent of the waters of the Channel Islands National Marine Sanctuary. The regulations creating the marine reserves are meant to give endangered white abalone, rockfish, giant kelp forests and an array of other species a chance to recover from years of excessive fishing. Anyone caught fishing in an illegal area could face a maximum penalty of a \$1,000 fine or one-year in jail. For fishermen, enforcement of the new regulations began with an education campaign, as wardens made sure commercial and sport anglers they encountered received maps showing areas off-limits to their nets, traps, hooks and lines.
- Susan Bevacqua has accepted a part time contract position to provide support for Geographical Information System (GIS) for the Pacific Region. Susan who hails from Hawaii and worked for a period of time with the Hawaii Coastal Zone Program will help create and develop a GIS program for the sites in Hawaii and Am. Samoa. Her first year will be spent doing a needs assessment and data gathering for the sites. Susan will temporarily be located in the Pacific Coastal Services Center office in downtown Honolulu.
- The National Marine Sanctuary Foundation celebrated the recent renovation of exhibits at the National Aquarium. This event was particularly significant to the National Marine Sanctuary Program as it features prominently all of NOAA's national marine Sanctuary sites. The small National Aquarium is located in the basement of the Department of Commerce building in Washington DC. The Foundation, aquarium staff, and NMSP employees worked to upgrade the signage around the aquarium exhibit so that a panel describing the relevant Sanctuary site now accompanies all the saltwater tanks.
- The NMSP is now able to offer the Sanctuary Watch newsletter by way of an html format e-mail. We've added a sign-up page via listserve on the national site for anyone interested in receiving it. Please feel free to encourage anyone and everyone to sign up.
http://sanctuaries.noaa.gov/news/Sanctuarywatch/sw_emailer.html.

HIHWNMS Updates

1. SAC Activities

- **Samantha Whitcraft, SAC alternate for Conservation and Ocean Resources Manager for Kaho'olawe Island Reserve Commission (KIRC) provided a**

lecture on Tuesday, April 8 at the Sanctuary Education Center on Maui. The lecture highlighted KIRC's marine monitoring programs for many marine protected species including humpback whales, sea turtles, and monk seals. More than five years of opportunistic and incidental data (everyday data) is being collected and studied to support monitoring and habitat mapping of these important species.

2. Facilities

- March 20th, the Maui site hosted an Open House from 6p.m.-9p.m. for the community to learn about the Kihei Facility Project, the new proposed multi-purpose building. Attendees were able to view the planned construction area, watch a presentation that described the needs and timeline of the project, ask questions, and submit comments. Volunteers and community members attended.

3. Sanctuary Partnerships

- April 4 and 5, the Sanctuary hosted a workshop by Project Kahea Loko at the headquarters site. The workshop provided teachers with curriculum, which revolves around native Hawaiian fishponds and its cultural value. These fishponds are found within our Sanctuary waters. Maui Sanctuary staff attended this workshop.
- The fishpond association Ao ao O Na Loko I'a O Maui held a Hana Loko open house in the evening of Friday, April 11. The public was invited to this event that was held at the Maui Sanctuary Site. A dedication ceremony took place for two pieces of art, a wood sculpture of a turtle and a stone sculpture of a traditional Hawaiian *umeke* (bowl) that are now on the Sanctuary property.
- Ao Ao O Na Loko I'a o Maui held its monthly lecture on Saturday, April 12, at the fishpond site to offer history, background, and information about the fishpond.

4. Sanctuary Science and Rescue Activities

- March 16th, David Mattila and Jooke Robins, Science and Research Specialist held an disentanglement training for all researchers on Maui. All of the humpback whale research organizations were represented.
- March 21st, David Mattila, performed an disentanglement training for Hawaii Department of Aquatic Resources staff on the Big Island.
- April 2nd, David Mattila field tested the NWHI's new catamaran off Kauai to determine its suitability for use in whale research. NWHI contractor and boat builder Don Moses and Kauai Sanctuary Liaison Jean Souza also participated in the test and photographed whales and other marine animals for education, outreach and research purposes.
- April 15-18, David Mattila, represented the Pacific region at a Humpback Whale meeting in Woods Hole, MA. David was on a Planning Committee for a large Atlantic Ocean Humpback Whale project that may be a collaborative effort with a Pacific project.
- April 23- 26, David Mattila, was in Seattle, WA participating in a second meeting of the SPLASH steering committee.

5. Education and Outreach

- *March 13th, Six pre-school children and six adults came to the Sanctuary Education Center (Maui) for a whale education program that included whale stories.*
- **March 14th, Joylynn Oliveira and Christine Brammer participated in the second day of working in Kona with 250 students at Kaloko-Honokahau on a Hawaiian culture program.**
- **March 15th, Claire Cappelle and Cindy Hylkema accompanied 4 volunteers to participate in the Ocean Arts Festival in Lahaina, Maui. The Sanctuary had an information booth and children's activities at this outreach event.**
- **March 15th, the 6th Annual Kauai Family Ocean Fair at Kilauea Lighthouse was held, with about 1000 attending under cloudy skies and rainshowers. The event was coordinated by Jean Souza and co-sponsored by HIHWNMS, Kilauea Point National Wildlife Refuge, Kilauea Point Natural History Association and the State of Hawaii. Kauai's largest ocean education event featured: fifteen exhibitors, all of whom provided an interactive exhibit or a free kids activity; five ocean activity booths; Centennial celebration of the National Wildlife Refuge System; live entertainment; and the assistance of 64 volunteers. Rhonda Van Wingerden Marine Educator from Maui was also on hand to lend assistance.**
- **March 21st, Fifty 6th grade students from Kamehameha School visited the Sanctuary Education Center (Maui). They attended workshops on limu, native plants, fishponds, and sea turtles.**
- **March 31st, Jean Souza hosted a Sanctuary volunteer appreciation field trip to the Sanctuary boundary on Kauai's north shore and Kilauea Point National Wildlife Refuge. Ten volunteers, who have been especially involved in Sanctuary outreach, education and office support, participated in the field trip which included a behind-the-scenes tour of the Laysan Albatross nesting colony and spectacular views of the Sanctuary.**
- **The last of the Whale Discovery Program essay winner whale watches took place with Windjammer Cruises Maui on Tuesday, April 1, 2003. Two Sanctuary volunteers acted as on-board naturalists for the winning class.**
- **April 10th, a school group from the mainland participated in a two hour education program at the Maui Education Center**
- **April 11th, Christine Brammer and Kristina Elson, Project Assistant, visited St. Elizabeth School to teach the 1st and 3rd graders about the Sanctuary and humpback whales.**
- **April 11th, The last class presentation for the Whale Discovery 2003 Program was held at Kamali'i Elementary School in Kihei. The fifth grade students were offered a visit by Maui volunteers John Mitchell and Donna Rolens and educator, Rhonda Van Wingerden. The students prepared questions for the educators about whales. Topics covered also included the Sanctuary system, whale behavior, anatomy, migration, and threats.**
- **April 18 & 19, Maui Sanctuary staff and volunteers participated in the Celebration of the Arts at the Ritz-Carlton, Kapalua, Maui. This event spans four days and is, Hawaii's premier hands-on arts and cultural festival and is dedicated to the people, arts and culture of Hawaii. The Sanctuary had a display and children's activities at this event.**

- On April 19th, the Maui Sanctuary office participated in the Maui Nui Botanical Garden's Earth Day Celebration. The staff and volunteers dispersed Sanctuary education materials and had children's activities on hand.
- Monday, April 21st, two hundred 7th grade students from Lahaina Intermediate School were at the Maui Education Center to learn about Hawaiian Culture. These students learned coconut leaf weaving and played Loko Bingo to gain knowledge about fishponds.
- Monday, April 21st, Christine Brammer and Kristina Elson, Oahu staff, visited the third grade at Waiakeawaena Elementary School in Hilo to teach students about humpback whales and the Sanctuary program.
- April 25th, eighty third grade students from Kula participated in an education program about whales, fishponds, fish identification, and coral reef systems. Russell Sparks with the Division of Aquatic Resources presented the coral reef portion of the program.
- April 22nd, Christine Brammer and Kristina Elson, hosted a booth in coordination with Jeff Kuwabara from the NWHI Coral Reef Ecosystem Reserve at the annual Hilo Earth Day celebration. The booth featured information about the Pacific Region National Marine Sanctuaries and Reserve. Approximately 3,000 people attend this annual event.
- April 24-26th, Rhonda Van Wingerden and Sanctuary volunteers, Charlene Lewis and John Mitchell were on Molokai to offer school programs to three different schools and to staff a booth at the Molokai Earth Day Fair. The class presentations included over 250 students, grades K-12.
- April 26th, Sanctuary staff represented the Sanctuary by displaying information and providing a game on humpback whale fluke identification at the 3rd annual Coral Reef Awareness Day at the Kahaluu Beach Park on the Big Island. The event was sponsored by Sea Grant and other partners. Jeffrey Kuwabara, staff member for the NWHI Coral Reef Ecosystem Reserve, shared the exhibit space. The booth represented the Pacific Region National Marine Sanctuaries and Reserve.
- April 27th, Joylynn Oliveira, Hawaiian Cultural Educator, Christine Brammer, Oahu Program Coordinator, and other staff and interns from the Oahu Sanctuary office, participated in the annual E Malama I Ke Kai Ocean Awareness Festival sponsored by Punana Leo o Kawaiahao, a non-profit Hawaiian language immersion school. Sanctuary staff hosted an information booth that provided information on the Pacific Region National Marine Sanctuaries and Reserve and also taught participants how to make humpback whales out of coconut palms.

6. Lectures

- March 18th, the Wailea (Maui) Marriott, an Outrigger Resort hosted a second lecture for the Sanctuary this month given by Dr. Marsha Green, founder and President of the Ocean Mammal Institute. The topic of her lecture was "Marine Mammals and Ocean Noise".
- April 21st, the Sanctuary held a lecture in coordination with the NWHI Coral Reef Ecosystem Reserve in Hilo, Hawaii. The lecture which was presented by Susan Rockards, the Director of Administration for the Hawaii Marine Mammal Consortium was

entitled "Hawaii Marine Mammal Consortium Humpback Whale Studies in Kawaihae Bay".

7. Staff and Volunteer Accomplishments

- March 21st, Liz Russell, Administrative Assistant attended an Administrative Professionals Conference in San Francisco.
- April 2nd, Naomi McIntosh presented information on the Sanctuary to a University of Hawaii course on Marine Mammal Laws and Policy.
- Mary Enstrom, Volunteer Consultant for the National Marine Sanctuary Foundation and the Nature Conservancy, held a two-day training session in Maui for Sanctuary staff on April 14 & 15. Topics focused on all aspects of volunteer management.
- Joe Fell-McDonald, Building and Grounds Keeper attended a native plants workshop at Maui Community College on Saturday, April 5. This workshop was developed by the Landscape Industry Council of Hawai'i and the University of Hawai'i's College of Tropical Agriculture.
- The Maui Sanctuary staff assisted in coordinating a visit for two visitors from the International Visitors Program from the U.S. State Department. They also received a tour of the Maui site and an introduction to the Sanctuary program.
- April 24th, Cindy Hylkema and Claire Cappelle attended a "Build Green" workshop that was sponsored by Maui Electric and the State Department of Business and Economic Development and Tourism. The workshop focused on creating energy efficient buildings. The staff was present to gather ideas in preparation for the construction of the new multi-purpose building in Kihei.

8. Media Coverage

- Friday, March 14, an article entitled, "Self-policing by cruise ships debated at meeting", in the Maui News, highlighted the topic of waste water discharge at a recent Sanctuary Advisory Council Meeting.
- Sunday, March 16, an article entitled "Ocean Fair at Kilauea Lighthouse Highlights Work with Humpback whales in Hawaiian Waters" with photos appeared in The Garden Island (Kauai) newspaper.
- Monday, March 17 and Wednesday, March 19, color photos of the volunteers and entertainment at the Kauai Family Ocean Fair appeared in The Garden Island (Kauai) newspaper.
- Winter 2003 issue of Kauai Magazine featured an article entitled "Wintering Humpbacks, the Massive Mammals Return". This was a 6-page article with full color photos and map of the HIHWNMS boundaries.
- The March 30th edition of the West Hawaii Today featured an article entitled "Volunteers count 1100 whales" on the Sanctuary Ocean Count project.
- The March 31st edition of the USA Today mentioned the Sanctuary Ocean Count project in the section that tells what's going on in the United States.

- The latest lecture was announced in the University of Hawaii's Marine Option Program newsletter, "Seawords". The lecture was listed in the "Events around Hawaii" section.
- Saturday, April 19th, the Maui News ran the article, "Celebrate Earth Day By Taking Care of the Sea". This article was written by Vice Admiral Conrad C. Laughtenbacher, JR. to build awareness of Earth Day.

9. Other

Naomi McIntosh, along with Allen Tom and Robert Smith attended several briefings with members of Hawaii's Congressional delegation in D.C. during the Annual Program Managers meeting, March 18th through 20th.

Attachment # 3

May 15, 2003

Hawaiian Islands Humpback Whale NMS Sanctuary Advisory Council Meeting

Additional SAC Updates

Sanctuary Volunteers

The Hawaiian Islands Humpback Whale NMS has a successful and active volunteer program. Sanctuary volunteers are members of the community – residents, visitors, students and senior citizens. A large majority of the Sanctuary volunteers are based at the Maui Headquarters site. Volunteers are vital to the success of the Sanctuary and on average contribute approximately 3000 hours each year. Sanctuary volunteers continue to be an amazement to the Sanctuary staff with their dedication, energy and endless aloha for protecting the ocean environment. Sanctuary volunteers assist in a number of program areas including administrative support, assisting in education and outreach activities, facilities maintenance, and other important ways. At present NOAA's Hawaiian Islands Humpback Whale NMS does not have any policy governing the use of volunteers to support activities of other organizations. However, Sanctuary staff does frequently provide information to volunteers regarding opportunities for involvement in conservation activities of other organizations.

Sanctuary Facilities

The use of Sanctuary facilities are governed by the rules and regulations developed by the General Service Administration to govern the use of all federal public buildings and grounds (PL 566, 1948). The use of any portion of federal property is by permission of the federal government's designated official. Rules that govern the use of the property include but are not limited to the following:

- (1) Permission to use the property must be agreed upon in advance between the Sanctuary's federal designated official.
- (2) Activity engaged in by user must be open to the public at no cost
- (3) User will be responsible for any damage incurred during the usage of the property

- (4) User must abide by rules and regulations contained in Title 41 Code of federal Regulations, Subpart 101-20-3. "Federal Property Management Regulations".

Sanctuary Logo

Authority to allow the use of the Sanctuary logo is provided under the National Marine Sanctuaries Act, 16 U.S.C. 1431 et seq. as amended, Section 316 Enhancing Support for National Marine Sanctuaries. A copy of this section is provided as an attachment to this report.

During the past 2 1/2 years, the HIIWNMS has only authorized use of the Sanctuary logo for collaborative efforts with its partner organizations (Sec. 316 (4) (f)).

Official sponsorships that were developed by the HIIWNMS under prior management are currently under review.

Attachment # 4

Kihei Facility Project Summary of Comments

Received during the Draft Environmental Assessment

Sanctuary Advisory Council

May 14, 2003

Office of Hawaiian Affairs

Consult with OHA's Maui Office, Hawaiian Civic Clubs and the Maui Island Burial Council.

Dept. of Land and Natural Resources

Historic Preservation Division

Recommend "that no action be taken on the proposed undertaking until an archaeological inventory survey has been conducted of the subject property to determine whether significant historic sites are present.

Maui County - Dept. of Public Works and Environmental Management

1. Develop a plan for construction and demolition waste disposal;
2. Wastewater capacity cannot be ensured until the building permit is issued; and
3. Comply with the Maui County grading ordinance – determination of the west dune system (coastal or in-land).

I. Dept. of Health

Environmental Planning Office

Quantify the planned changes in impervious area, the expected changes in surface runoff response and projected effectiveness of the mitigation measures in preventing polluted runoff from entering the coastal waters

Clean Air Branch

Develop and implement a dust control management plan for all stages of development and construction activities.

Community Members

1. Will the airflow be cut off or altered;
2. Loss of scenic view plane;

3. Increase in noise and light pollution, increase in functions on site will impact parking and security concerns;
4. Openness of the property – possibly build something smaller;
5. Sand dunes – movement of sand eastward on to the new parking lot and then to South Kihei Road; and
6. Native plants – replant the existing native plants, use additional native coastal plants.

Attachment # 5

April 28, 2003

MEMORANDUM

To: Sanctuary Advisory Council, Hawaiian Islands Humpback Whale National Marine Sanctuary

From: Jeff Walters, Sanctuary Co-Manager

Subject: Update from the Sanctuary Co-Manager for the period of February 27, 2003 through April 28, 2003 (Prepared for the May 15, 2003 Council meeting).

State Whale Research Permits

To date, 12 state research permits (for “take of marine protected species for scientific purposes”) have been issued for the 2002-2003 whale season. The state office continues to coordinate closely with NOAA NMFS in issuing permits and in monitoring compliance, reporting, etc. We had three groups devoted to working around the Big Island (BI) this year, the largest effort thus far “beyond Maui.” Reports from each permit holder are forthcoming.

DLNR HB Whale Research Permit No.	Principal Investigator(s)	Activity
SH2003-01	Barlow, NMFS	Close approach, photography
SH2003-02	Herman and Pack	Close approach, photography, videogrammetry
SH2003-03	Salden	Close approach, photography
SH2003-04	Darling	Close approach, photography
SH2003-05	Mattila, NMSP	Close approach, photography, biopsy darting
SH2003-06	Cartwright	Close approach, photography (BI)
SH2003-07	Glockner-Ferrari and Ferrai	Close approach, photography
SH2003-08	Mobley	Close aerial approach, aerial photography
SH2003-09	Green	Close approach, photography
SH2003-10	Gabriele et al.	Close approach (BI)
SH2003-11	Lowry and Frost	Close approach, photography (BI)
SH2003-12	Baird et al., NMFS	Close approach, photography, biopsy darting, suction cup tagging

Cetacean Strandings

Entangled humpback reported off Waialua, Oahu, March 7 - Sanctuary staff David Mattila and I joined NOAA Fisheries staff and DLNR-DOCARE officers in responding to the report of a whale entangled in rope and trailing a small buoy. After carefully searching the area aboard a DOCARE vessel, the entangled whale was never found. TV news coverage was extensive, nevertheless.

Program Administration

The current performance period of the federal (NOAA) services contract that provides funds for the state office will expire on May 31, 2003. The first of two options to extend (to May 31, 2004)

has recently been exercised and a new budget for the period has been determined in a collaborative manner and submitted to NOAA WASC for approval. The proposed budget includes funding for the co-manager and marine conservation specialist (see below) positions as well as funds for a Sanctuary office in Kona, a study of potential additional Sanctuary resources, and boater outreach efforts, as well as for travel, equipment, supplies as outlined in the Sanctuary's FY 03 annual operating plan.

New State Sanctuary Position – Marine Conservation Specialist – Still On Hold

Filling of the new position is still on hold, pending approval by the State Dept of Budget and Finance and the Governor's Office, even with the full federal funding offered by NOAA-NMSP. The effectiveness of the state office in fulfilling its co-management responsibilities in marine science and conservation is being adversely affected by the continued delay (approx. 9 months thus far) in filling this position.

Boater Outreach Project

A draft version of a "boat ramp sign" has been developed for review and comment by the boater outreach working group. The sign is intended to be a "regulatory" sign reminding boaters about the 100 yd approach rule. This sort of signage was repeatedly recommended by the group in recent videoconference meetings. The sign may be placed with an "interpretive" sign adjacent to it, depicting the natural history and endangered species status of humpbacks. The group may have compiled comments and recommendations regarding the draft sign in time for May 15 Council meeting. Other elements of the project still under development are a sticker for kayaks and community outreach activities.

Education and Outreach

Site Posters – The first print run of the site poster series was completed in late April. Thanks to the Council for helpful input on the images and text. There are three different posters (5,000 each). Each Council member and alternate will be provided with a set.

Hawaiian Cultural Uses Poster – The artwork for the poster has been completed. We will be seeking the Council's advice on the poster layout, design elements, etc. The goal of the poster is to introduce the wide range of traditional Hawaiian uses and practices that occur(red) in the Sanctuary. This is part of our effort to implement our Congressional mandate to facilitate all compatible ocean uses in the Sanctuary, especially Native Hawaiian uses. Joylynn Oliveira, Sanctuary Hawaiian cultural educator, is the lead staff person on this effort.

Sanctuary Newsletter – The third issue of the newsletter was distributed in early April. The mailing list continues to be revised and updated. Based on comments from staff and Council members, some revisions to the masthead and calendar layout will be made prior to printing the next issue.

Hawaii Watchable Wildlife Program

The co-manager sits on the steering committee for this program, which is developing a guidebook and signage system for safe and sustainable wildlife viewing around the state. The Hawaii Tourism Authority and NOAA-NMFS have provided funding. The proposed wildlife viewing sites are listed below, with the sites having whale-watching potential listed first. The Sanctuary's Kihei headquarters is included as a proposed site. Council members are invited to offer comments and suggestions regarding this list and other aspects of the program.

Candidate Sites for Hawaii Watchable Wildlife Program Guidebook and Signage

*Denotes potential whale-watching site

Island	Site Name
*Hawaii	Kealakekua Bay SHP and MLCD
*Hawaii	Puukohola Heiau NHP
*Hawaii	Old Kona Airport State Park and MLCD
*Hawaii	Puuhonua o Honaunau NHP and Honaunau Bay
*Kauai	Kilauea Point NWR
*Kauai	Na Pali Coast State Park
*Lanai	Hulupoe/Manele Bay MLCD
*Maui	Molokini Crater MLCD
*Maui	<u>Hawaiian Islands Humpback Whale NMS office, Kihei !!</u>
*Maui	McGregor Point
*Oahu	Hanauma Bay MLCD, Nature Preserve
*Oahu	Pupukea Beach Park (Shark's Cove MLCD)
*Oahu	Diamond Head Crater, Lookouts
*Oahu	Makapuu Lighthouse/Ka Iwi Shoreline
*Oahu	Kaena Point SP and NAR
*Oahu	Laie Point
*Oahu	Kakaako Waterfront Park
*Oahu	Blow Hole Area Lookouts (Lanai and Halona)
Hawaii	Puu Makaala NAR (limited, along Stainbeck Hwy)
Hawaii	Kalopa State Park
Hawaii	Kiholo Bay State Park Reserve
Hawaii	Manuka State Park
Hawaii	Mauna Kea State Park
Hawaii	Kahaluu Bay
Hawaii	Pohoiki County Park (Pune)
Hawaii	Punaluu Beach Park
Hawaii	Stainback Hwy
Hawaii	Hawaii Volcanoes NP: Chain of Craters Road, Crater Rim Drive
Hawaii	Kaloko-Honokohau NHP - Aimakapa Pond, Kaloko Mauka
Hawaii	Mauna Loa Strip Road (in HVNP)
Kauai	Ha'ena SP
Kauai	Kokee State Park, Waimea Canyon SP, Alakai Forest Reserve
Kauai	Wailua River State Park
Kauai	Poipu Beach Park
Kauai	Hanalei Valley NWR, Overlook
Lanai	Munro Trail (4WD)
Maui	Kanaha Pond
Maui	Polipoli Springs State Park
Maui	Waianapanapa SP
Maui	Kealia Pond NWR
Maui	Haleakala NP, Kipahulu Section, Hosmer, Kalahaku, Polipoli, Oheo
Molokai	Palaau State Park
Molokai	Kalaupapa NHP
Molokai	Fishponds (check with Walter Ritte per Robbie)
Oahu	Hawaiian Memorial Park (Kaneohe)
Oahu	Honolulu Zoo and Kapiolani Park
Oahu	Hamakua Marsh, Kailua
Oahu	Maunawili Trail
Oahu	Aiea State Park

Oahu	Keaiwa Heiau State SRA and Aiea Loop Trail
Oahu	Waahila State Park
Oahu	Makua Bay/Cave
Oahu	Lyon Arboretum
Oahu	Waikiki Aquarium
Oahu	Punchbowl Crater (Nat'l Cemetery of the Pacific)

Kona Blue Water Farms aquaculture project, DLNR CDUA

Kona Blue Water Farms (a division of Black Pearls, Inc.) is applying for a Conservation District Use Permit (CDUA) and ocean lease over 81 acres near Ulualoha Point, Kona, for an open ocean fish farm. The farm is proposed to consist of 6 grow-out pens (3 submersible cages and 3 surface pens), each around 80 feet in diameter, and two smaller nursery pens. The farm would be placed over bare sand in 150-200 feet of water. Cages at the center of the lease are proposed to be about 2,000 feet from the shoreline.

The Division of Aquatic Resources recently submitted comments to the Land Division regarding the draft environmental assessment (DEA) that was prepared for the permit application. The Land Division is currently in the process of preparing a report and recommendations for consideration by the applicant and the Board of Land and Natural Resources. No date has been set yet for the Board's hearing of this application. The applicant is also expected to be required to obtain NPDES and US Army Corps of Engineers' permits, as well as a federal CZM consistency determination. For more information on this and other permit applications, visit the state Office of Environmental Quality Control's web site at: <http://www.state.hi.us/health/oeqc/>

Regarding the comments of the Division of Aquatic Resources, in general, the Division supports activities such as the proposed aquaculture project that promise to reduce fishing pressure on wild fish stocks and develop alternative income sources from fishery resources. Upon careful analysis, however, the Division concluded that the DEA for the proposed activity did not adequately examine potential impacts to humpback whales and the proposed mitigation measures did not adequately address these potential impacts.

In summary, the Division recommended that the DEA be revised to more thoroughly review existing information relevant to humpback whale entanglement, collision as well as abandonment of humpback breeding, calving and nursing habitat that might be caused by the installation or operation of the proposed floating cages. The Division also recommended that a humpback whale monitoring program be added to the proposed mitigation measures. The Division offered to consult with the applicant regarding the design and implementation of the monitoring program.

Meetings, Etc.

- 1) March 12 – Accompanied David Mattila during research activities on board the Sanctuary vessel off Maui.
- 2) March 13 – Attended SAC meeting.
- 3) March 17 – Meeting with Brook Parker (artist) and Sanctuary Hawaiian cultural educator Joylynn Oliveira re cultural poster.
- 4) March 19 – Represented DLNR at meeting with NMFS and consultants regarding state application for federal permit for incidental take of sea turtles by state-managed fisheries.
- 5) March 20 – Attended steering committee meeting of Hawaii Watchable Wildlife Program.
- 6) March 21 – Attended disentangling training provided by David Mattila in Kailua-Kona for DLNR-DAR staff.
- 7) April 3 - Accompanied David Mattila, Flip Niccklin and Jim Darling during field research activities off Maui.
- 8) April 8 – Attended mandatory DLNR security training.

- 9) April 14 – Attended training provided by Sanctuary contractor on volunteer program development and management.
- 10) April 15 – 17 – Attended NOAA NMFS Hawaiian Monk Seal Recovery Team meeting.
- 11) April 22 – Gave introductory presentation about the Sanctuary to the Honolulu Lion's Club.
- 12) April 23 – Attended DLNR-DAR staff meeting.

cc: Peter T. Young, DLNR Chairperson
 Ernest Y. W. Lau, DLNR Deputy Director
 William S. Devick, DLNR-DAR Administrator
 Naomi McIntosh, Acting Sanctuary Manager

Attachment # 6

KAUA'I REPORT TO THE SAC Prepared by Dr. Walter Haas 01 May for Meeting on 15 May 2003

OUTREACH

The **6th Annual Kaua'i Family Ocean Fair** at Kilauea Lighthouse was held on Saturday, March 15. The island's largest ocean education event attracted about 1000 people who braved the island wide showers and cloudy skies to take advantage of the the exhibits and hands-on activities provided by 8 government agencies, 6 non-governmental organizations and 7 activity booths. Sixty-four volunteers, including 3 Girl Scout Troops, were invaluable in supplementing the efforts of 2 Sanctuary staff and 10 wildlife refuge staff who were responsible for putting on the fair. This year's focus: Centennial anniversary of the National Wildlife Refuge System; invasive species, marine debris and effects on marine life; Hawai'i agencies' capabilities in disentangling whales. Kaua'i Liaison Jean Souza was the fair coordinator. The fair is listed in at least 10 vacation planners and websites including: HVCB website and vacation planner, AAA vacation planner, and bestplaces.com. Co-sponsors were: Kilauea Point National Wildlife Refuge, U.S. Fish and Wildlife Service, Kilauea Point Natural History Association, and the State of Hawai'i.



Exhibitors and activity booths were jamming'.
 marine



NOAA Fisheries staff with display on
 debris, entanglement and whale
 disentanglement techniques.

The **Sanctuary Ocean Count** on March 29 went very well on Kaua'i, Viewing conditions were excellent at all sites with clear skies, no white caps and gentle breezes. The March count for Kaua'i was significantly lower than any of the other Kaua'i counts this season and were

significantly lower than last year for the same period. This season number of whales peaked in January/early February compared to last year's peak of early March. Eighty-four trained volunteers participated at 14 shore locations. Training for about a dozen of the newest volunteers was conducted in the Kauai Office by Jean on March 25. The March count on Kaua'i was dedicated to the late Leon Brenaman, a part-time Kaua'i resident, who in 2001 developed the distance-measuring tool and cross-reference table. Today, the tool and table are used in the mapping of whale locations at all 62 Ocean Count sites on four islands and in the two Kaua'i schools that conducted Ocean Counts from their campuses.

May 3, **Children's Day celebration** at Lihu'e Hongwanji. We have been invited to have activity booths at this ocean-themed community celebration.

May 6, **Mahelona Hospital Petting Zoo** in Kapa'a. We have been invited to have an activity booth at this annual event where 1,000 preschool students, teachers and parent chaperones are expected. This appears to represent Kaua'i's entire pre-school population.

VOLUNTEERS

Community volunteers continue to help with outreach events, school activities, office work, event preparation, and reference library cataloging. The Kaua'i Office hosted a field trip to Kilauea Point National Wildlife Refuge on Monday, March 31 for ten of the volunteers who have helped out the last three months. The group got a behind-the-scenes look at the refuge and the Sanctuary boundary. One of the highlights was a special visit to the Laysan albatross colony.



Overlooking the Sanctuary from Crater Hill.



Laysan Albatross nesting colony.

TRAINING AND WORKSHOPS

Jean joined the other staff members in training sessions on managing volunteer programs conducted by NMS volunteer coordinator Mary Enstrom on April 14-15 on Maui.

May 1, NWHICRER teacher workshop on Kauai on Navigating Change. Jean will participate.

The Pacific Regional Coordinator Allen Tom and the NMS Education Coordinator Michiko Martin submitted a proposal to Dan Basta to hold a meeting of the NMS Education Coordinators in Hawaii next fiscal year. The proposal is still under consideration.

The "multiplier-effect" of the Sanctuary's efforts in volunteer training and student projects continue to bear fruit as best illustrated in the following examples:

- In March, seven of the Sanctuary/refuge volunteers who took the Sanctuary-sponsored Steve Zeff's 2-Day Humpback Whale and Marine Mammal Training conducted a 2-hour training session for 35 other volunteers at Kilauea Point National Wildlife Refuge.
- In April, an 'Ele'ele Elementary School 6th grade class taught a 4th grade class about humpback whale anatomy and behavior through art.

- In May, 'Ele'ele Elementary School 6th graders will be staffing three Sanctuary activity booths and teaching the school's younger students about humpback whales and the ocean at their annual Spring Festival. The schoolwide festival features student "May Day" performances and hands-on craft activities. The Sanctuary will have expanded their participation from one booth last year to three booths this year, thanks to the help of the 6th graders, who have intensively studied whales and conducted their own Ocean Count.

RESEARCH

Science and Whale Rescue Coordinator David Mattila was on Kauai on March 2 to test the suitability of NWHICRER's new 40-foot catamaran for humpback whale research. Jean was on board and received training in photographing whales for research purposes. The activities were conducted under David's scientific research permit.

COMING UP

Demonstration/Training of a NOAA Fisheries' student workshop unit on marine debris by coral reef and marine debris specialist Molly Timmers. This unit was developed by Molly and conducted at a Sanctuary-sponsored student workshop in March. It integrates well with the Sanctuary's presentations on whale entanglement and disentanglements.



Students learn to analyze marine debris using actual NOAA field techniques.

Possible lecture on Kauai in May by David Mattila on research activities and latest findings.

Attachment # 7

Hawai'i County Report March-May, 2003

Community Events-

March

March 18: ReefTalk in Kamuela: Are Taape and Roi to Blame? Dr. Bill Walsh, DAR
 March 20: west Hawaii Fishery Council Meeting: topic of discussion was spear fishing with SCUBA and spear fishing in general.
 March 21: Entanglement training with David Mattila
 March 22: ReefWatcher training at Milolii
 March 29: Ocean Count

April

April 13: First meeting of Kawaihae Local Resource Council
 April 17: West Hawaii Fisher Council Meeting: Topic of discussion continues to be spear fishing, emphasis on taking in community comments

April 21: DAR public information meeting to explain amendments to the Aquarium Fish Collecting Rule, HAR 13-60.3 If anyone wants a copy of the amendments and chronology, please Jan Marsh, DAR Kona via email at: darofc@interpac.net

April 22: ReefTalk in Kona: Are Taape and Roi to Blame? Dr. Bill Walsh, DAR

April 24: DAR public information meeting re Aquarium Fish HAR 13-60.3

April 26: 3rd annual Coral Reef Awareness Day at Kahalu`u. Over 400 people attended throughout the day, and 65+ volunteers helped with the event. The Whale Sanctuary was represented well by Christine Brammer and Kristina Elson; the NWHI were represented by Jeff Kuabara. Mahalos to you for adding another dimension to the event!

April 27: Milolii Local Resource Council Meeting: discussion centered on immediate area resource management needs.

April 30: ReefWatcher training for Kona area: 10 people were trained, and will be following up with their site choices

May

May 3: ReefWatcher monitoring by the Milolii group. Rough water.

May 4: Kawaihae's second LRC meeting. Group commented on need to get more local fisherpersons to attend such meetings to form resource management plans.

May 5: ReefWatcher training in Kamuela: 8 people were trained, and will select their sites in the near future.

Submitted by Sara Peck, UH Sea Grant Extension Service, West Hawaii